

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRENDA M. JOHNSON,

Plaintiff,

v.

TERRY LEE REMBERT, et al.,

Defendants.

CASE NO. C20-5331-RJB

ORDER ON REVIEW OF
MOTION FOR RECUSAL

On May 26, 2020, Plaintiff Brenda M. Johnson, proceeding pro se, filed a Motion seeking to disqualify the Honorable Robert J. Bryan in this matter. Dkt. #9. On June 3, 2020, Judge Bryan issued an Order declining to recuse himself and, in accordance with this Court's Local Rules, referring that decision to the Chief Judge for review. Dkt. #10; LCR 3(f). The Court will not address the other rulings contained in that Order.

A judge of the United States shall disqualify himself in any proceeding in which his impartiality "might reasonably be questioned." 28 U.S.C. § 455(a). Federal judges also shall disqualify themselves in circumstances where they have a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, "whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending

1 has a personal bias or prejudice either against him or in favor of any adverse party, such judge
2 shall proceed no further therein, but another judge shall be assigned to hear such proceeding.”
3 “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United States v. Studley*,
4 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*, 993 F.2d 710, 712
5 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an extrajudicial source.”).

6 Plaintiff’s Motion for Recusal reads simply: “Rescue [sic] against Robert J. Bryan Term
7 on Bench.” Dkt. #9 at 1. It provides no claims or evidence upon which this Court may reasonably
8 question Judge Bryan’s impartiality. For this reason, Plaintiff’s Motion fails to demonstrate that
9 the standards for recusal have been met.

10 Accordingly, the Court hereby ORDERS that Judge Bryan’s refusal to recuse himself from
11 this matter is AFFIRMED. The Clerk SHALL provide copies of this order to Plaintiff and to all
12 counsel of record.

13 DATED this 4th day of June, 2020.

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17 RICARDO S. MARTINEZ
18 CHIEF UNITED STATES DISTRICT JUDGE
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